

The vote was taken by electronic device, and there were—ayes 221, noes 193, not voting 19, as follows:

[Roll No. 472]

AYES—221

Aderholt	Gillmor	Nussle
Akin	Gingrey	Osborne
Alexander	Gohmert	Otter
Bachus	Goode	Oxley
Baker	Goodlatte	Paul
Barrett (SC)	Granger	Pearce
Bartlett (MD)	Graves	Pence
Bass	Green (WI)	Peterson (PA)
Biggert	Gutknecht	Petri
Bilirakis	Hall	Pickering
Blackburn	Harris	Pitts
Blunt	Hart	Platts
Boehlert	Hastings (WA)	Poe
Boehner	Hayes	Pombo
Bonilla	Hayworth	Porter
Bonner	Hefley	Price (GA)
Bono	Hensarling	Pryce (OH)
Boozman	Herger	Putnam
Boustany	Hobson	Radanovich
Bradley (NH)	Hoekstra	Ramstad
Brady (TX)	Hostettler	Regula
Brown (SC)	Hulshof	Rehberg
Brown-Waite,	Hunter	Reichert
Ginny	Hyde	Renzi
Burgess	Inglis (SC)	Reynolds
Burton (IN)	Issa	Rogers (AL)
Buyer	Jenkins	Rogers (KY)
Calvert	Johnson (CT)	Rohrabacher
Camp	Johnson (IL)	Ros-Lehtinen
Cannon	Johnson, Sam	Royce
Cantor	Jones (NC)	Ryan (WI)
Capito	Keller	Ryan (KS)
Carter	Kelly	Saxton
Castle	Kennedy (MN)	Schmidt
Chabot	King (IA)	Schwarz (MI)
Chocola	King (NY)	Sensenbrenner
Coble	Kingston	Sessions
Cole (OK)	Kirk	Shadegg
Conaway	Kline	Shaw
Crenshaw	Knollenberg	Sherwood
Cubin	Kolbe	Shimkus
Culberson	Kuhl (NY)	Shuster
Cunningham	LaHood	Simmons
Davis (KY)	Latham	Simpson
Davis, Jo Ann	LaTourette	Smith (NJ)
Davis, Tom	Leach	Smith (TX)
Deal (GA)	Lewis (CA)	Sodrel
DeLay	Lewis (KY)	Souder
Dent	Linder	Stearns
Diaz-Balart, L.	LoBiondo	Sullivan
Diaz-Balart, M.	Lucas	Sweeney
Doolittle	Lungren, Daniel	Taylor (NC)
Drake	E.	Terry
Dreier	Mack	Thomas
Duncan	Manzullo	Thornberry
Ehlers	Marchant	Tiahrt
Emerson	McCaul (TX)	Tiberi
English (PA)	McCotter	Turner
Everett	McCrery	Upton
Feeney	McHenry	Walden (OR)
Ferguson	McHugh	Walsh
Fitzpatrick (PA)	McKeon	Wamp
Flake	McMorris	Weldon (FL)
Foley	Mica	Weldon (PA)
Forbes	Miller (MI)	Weller
Fortenberry	Miller, Gary	Westmoreland
Fossella	Moran (KS)	Whitfield
Fox	Murphy	Wicker
Franks (AZ)	Musgrave	Wilson (NM)
Frelinghuysen	Myrick	Wilson (SC)
Gallely	Neugebauer	Wolf
Garrett (NJ)	Ney	Young (AK)
Gerlach	Northup	Young (FL)
Gibbons	Norwood	
Gilchrest	Nunes	

NOES—193

Abercrombie	Blumenauer	Case
Ackerman	Boren	Chandler
Allen	Boswell	Clay
Andrews	Boucher	Cleaver
Baca	Boyd	Clyburn
Baird	Brady (PA)	Conyers
Baldwin	Brown (OH)	Cooper
Barrow	Brown, Corrine	Costa
Bean	Butterfield	Costello
Becerra	Capps	Cramer
Berkley	Capuano	Crowley
Berman	Cardin	Cuellar
Berry	Cardoza	Cummings
Bishop (GA)	Carnahan	Davis (AL)
Bishop (NY)	Carson	Davis (CA)

Davis (FL)	Kucinich	Rahall
Davis (IL)	Langevin	Rangel
Davis (TN)	Lantos	Reyes
DeFazio	Larsen (WA)	Ross
DeGette	Larson (CT)	Roybal-Allard
Delahunt	Lee	Ruppersberger
DeLauro	Levin	Rush
Dicks	Lipinski	Ryan (OH)
Dingell	Lofgren, Zoe	Sabo
Doggett	Lowey	Salazar
Doyle	Lynch	Sánchez, Linda
Edwards	Maloney	T.
Emanuel	Markey	Sanchez, Loretta
Engel	Marshall	Sanders
Eshoo	Matheson	Schakowsky
Etheridge	Matsui	Schiff
Evans	McCarthy	Schwartz (PA)
Farr	McCollum (MN)	Scott (GA)
Fattah	McDermott	Scott (VA)
Filner	McGovern	Serrano
Ford	McIntyre	Sherman
Frank (MA)	McKinney	Skelton
Gonzalez	McNulty	Slaughter
Gordon	Meehan	Smith (WA)
Green, Al	Meek (FL)	Snyder
Green, Gene	Meeks (NY)	Solis
Grijalva	Menendez	Spratt
Gutierrez	Michaud	Stark
Harman	Millender-	Strickland
Hastings (FL)	McDonald	Stupak
Herseeth	Miller (NC)	Tauscher
Higgins	Miller, George	Taylor (MS)
Hinojosa	Mollohan	Thompson (CA)
Holden	Moore (KS)	Thompson (MS)
Holt	Moore (WI)	Tierney
Honda	Moran (VA)	Towns
Hoolley	Napolitano	Udall (CO)
Hoyer	Neal (MA)	Udall (NM)
Inslee	Oberstar	Van Hollen
Israel	Obey	Velázquez
Jackson (IL)	Olver	Visclosky
Jackson-Lee	Ortiz	Wasserman
(TX)	Owens	Schultz
Jefferson	Pallone	Waters
Johnson, E. B.	Pascarella	Watson
Kanjorski	Pastor	Watt
Kaptur	Payne	Waxman
Kennedy (RI)	Pelosi	Wexler
Kildee	Peterson (MN)	Wu
Kilpatrick (MI)	Pomeroy	Wynn
Kind	Price (NC)	

NOT VOTING—19

Barton (TX)	Lewis (GA)	Shays
Beauprez	Melancon	Tancredo
Bishop (UT)	Miller (FL)	Tanner
Hinchey	Murtha	Weiner
Istook	Nadler	Woolsey
Jindal	Rogers (MI)	
Jones (OH)	Rothman	

□ 1225

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SHAYS. Mr. Speaker, on rollcall No. 472 I was inadvertently detained. Had I been present, I would have voted "aye."

Mr. MILLER of Florida. Mr. Speaker, I missed rollcall vote No. 472 on September 15, 2005. This was a suspension vote on agreeing to the resolution H.J. Res. 439—a resolution to establish the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina.

If present, I would have voted rollcall vote No. 472. Establish the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina—"aye".

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3684

Mr. FLAKE. Madam Speaker, I ask unanimous consent that the name of the gentleman from Tennessee (Mr. WAMP) be removed as a cosponsor of my bill, H.R. 3684.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentleman from Arizona?

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken later today.

#### KATRINA EMERGENCY TAX RELIEF ACT OF 2005

Mr. MCCRERY. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3768) to provide emergency tax relief for persons affected by Hurricane Katrina, as amended.

The Clerk read as follows:

H.R. 3768

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Katrina Emergency Tax Relief Act of 2005".

#### SEC. 2. DESIGNATION AS EMERGENCY REQUIREMENT.

Any provision of this Act causing an effect on receipts, budget authority, or outlays is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

#### TITLE I—GENERAL TAX RELIEF PROVISIONS

#### SEC. 101. EXTENSION OF REPLACEMENT PERIOD FOR NONRECOGNITION OF GAIN.

Clause (i) of section 1033(a)(2)(B) of the Internal Revenue Code of 1986 shall be applied by substituting "5 years" for "2 years" with respect to property which—

(1) is located in an area determined by the President to warrant individual or individual and public assistance from the Federal Government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of Hurricane Katrina, and

(2) is compulsorily or involuntarily converted as a result of such hurricane, but only if substantially all of the use of the replacement property is located in any such area.

#### SEC. 102. SUSPENSION OF LIMITATIONS ON CHARITABLE CONTRIBUTIONS FOR RELIEF EFFORTS RELATED TO HURRICANE KATRINA.

(a) IN GENERAL.—Except as otherwise provided in subsection (b), qualified disaster contributions shall not be taken into account for purposes of subsections (b) and (d) of section 170 of the Internal Revenue Code of 1986.

(b) TREATMENT OF EXCESS CONTRIBUTIONS.—For purposes of section 170 of such Code—

(1) INDIVIDUALS.—In the case of an individual—

(A) LIMITATION.—Any qualified disaster contribution shall be allowed only to the extent that the aggregate of such contributions does not exceed the excess of the taxpayer's contribution base (as defined in paragraph (1) of section 170(b) of such Code) over